

examined on oath, or affirmation, as the case may be, whether or not he or she knows of any other will or codicil, and in what manner the will or codicil exhibited came to his or her hands.

SEC. 13. If the probat of any will or codicil be taken as aforesaid, without contest, any person, before letters testamentary, or of administration with a copy of the will, shall be actually granted, may file a petition to the court, praying that the case be again examined and heard, and thereupon the orphans court shall delay the granting of letters, until a decision shall be had on the said petition; and in case letters shall have been granted, and any person shall file such petition, and the court, on hearing both sides, that is to say, the petitioner and the grantee of such letters, shall decide against the probat, the letters aforesaid shall be revoked, and the power of the party, under the said letters, shall cease; and the said will shall not be proved in any other county, unless the decision be reversed by the court of chancery or general court; and no nuncupative will shall be proved within fourteen days after the death of the testator, unless his widow (if any) and some one of the next of kin, have been summoned to contest the same, if they please.

CHAPTER III.

How and of whom letters testamentary or of administration are to be obtained.

SEC. 1. When any will or codicil, respecting personal property, shall have been authenticated as aforesaid, or proved as aforesaid before the register of wills, or orphans court, letters testamentary may forthwith be committed to the executor, executrix or executors, named in the said will or codicil; provided the said executor or executrix, or each of the executors, shall execute a bond to the state of Maryland, with two good sureties, approved by the said register or orphans court, as the case may require, and in such penalty as the said register or court may require, conditioned for the faithful performance of the trust in him or her reposed as executor or executrix, to be lodged and recorded in the said register's office, and subject to be put in suit as hereafter mentioned.

SEC. 2. If the executor or executrix, or all the executors named in a will, who shall not have renounced in the manner hereafter directed, shall, in due time, procure an attested copy of the said will, and of the authentication or probat, under the seal of the office where it was authenticated or proved, and shall produce the same to the orphans court, or in its recess to the register of wills, in any county wherein is personal property of the testator or testatrix to be administered, the said will, and the authentication or probat thereof, shall be there recorded; and letters testamentary may be granted to the said executor or executrix, or all the executors, not renouncing, by the said court, or in its recess by the said register, at any time within